



## **ATTACHMENT A**

### **REMARKS**

Responsive to the Office Action mailed on September 17, 2004, and to the restriction requirement set forth therein, applicant hereby elects the species of the invention relating to a composition containing carbon nanotubes. It is noted that the Examiner has required election of "a single claimed species based on the composition of the energetic composition." It is not clear what the Examiner has in mind here in that, for example, claim 1 merely claims "an energetic material" and thus would appear to be generic to this aspect of the invention. Similar remarks apply to method claim 10. Thus, while the Examiner has stated that no claims appear to be generic, at least these claims are generic with respect to the recitation of the "energetic material." However, it could be contended that the embodiment of the invention wherein the claimed mixture is of an energetic material and an activated carbon containing a metal selected from the claimed group is a separate species from the elected species, and, to the extent that this species and the elected "carbon nanotube" species are the species that the Examiner has in mind here, the latter species is elected as indicated above.

It is respectfully submitted that, as the claims are presently drafted, at least both claims 1 and 11 are generic to both species.

Further and favorable action is respectfully solicited.

**END REMARKS**